

IN THE SUPREME COURT OF INDIA
EXTRA ORDINARY JURISDICTION
WRIT PETITION (CIVIL) NO.494 OF 2012

IN THE MATTER OF:

Justice K.S. Puttaswamy (Retd.) & Anr.

.....Petitioners

versus

Union of India & Ors.

...Respondents

AFFIDAVIT ON BEHALF OF THE STATE OF SIKKIM

I, Arvind Kumar, Principal Secretary and Principal Resident
Commissioner, Government of Sikkim, Sikkim House, Chanakayapuri,
New Delhi, do hereby solemnly affirm and state as under:

1. The present affidavit is being filed pursuant to the order dated 26.11.2013 passed by this Hon'ble Court in the above matter and pursuant to instructions received from the Home Department, Government of Sikkim, Gangtok.
2. That the present writ petition deals with issue of Aadhar Number (12 Digit Unique Identification Number) to all residents of India pursuant to a Notification dated 28.1.2009 issued by the Planning Commission. By the same Notification, the Central Government also constituted the Unique Identification Authority

of India (UIDAI) authorizing it to issue Unique Identification Number or Aadhaar to all resident of India.

3. That the main objectives behind the Unique Identification Number Project are as under:

- (i) To give unique identity number to all the residents of the country;
- (ii) To ensure financial inclusion of the poor/rural people through UEBA (UID Enabled Bank Accounts);
- (iii) To create robust benefit/delivery mechanism, for ensuring last mile delivery;
- (iv) The UID number is proposed to be incorporated in all identity based schemes and process like Ration Card, Bank Account, Passport and Flagship Projects of Government of India;
- (v) Development of a database for effective monitoring and evaluation.

4. That in the process of issuing Aadhaar Number to an individual, firstly demographic as well as biometric information, such as, finger prints of all ten fingers of hands, iris and photograph of the concerned person is obtained to ensure that each identity is

unique and unduplicated. After obtaining the above information, the UIDAI perform authentication. That the Nodal Department of the answering State is following the guidelines of UIDAI for enrollment of a resident. As per the guidelines, the following documents for the enrolment of an individual are required:

**A. Supported Proof of Identity (POI) Documents
Containing Name and photo**

1. Passport 2. PAN Card 3. Ration/PDS Photo Card 4. Voter ID 5. Driving License 6. Government Photo ID Cards/ service photo identity card issued by PSU 7. NREGS Job Card 8. Photo ID issued by Recognized Educational Institution 9. Arms License 10. Photo Bank ATM Card 11. Photo Credit Card 12. Pensioner Photo Card 13. Freedom Fighter Photo Card 14. Kissan Phul, Passbook 15. CGHS / ECHS Photo Card 16. Address Card having Name and Photo issued by Department of Posts 17. Certificate of Identify having photo issued by Gazetted Officer or Tehsildar on letterhead 18. Disability ID Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations

**B. Supported Proof of Address (POA) Documents
Containing Name and Address**

1. Passport 2. Bank Statement/ Passbook 3. Post Office Account Statement/Passbook 4. Ration Card 5. Voter ID 6.

Driving License 7. Government Photo ID cards/ service photo identity card issued by PSU 8. Electricity Bill (not older than 3 months) 9. Water bill (not older than 3 months) 10. Telephone Landline Bill (not older than 3 months) 11. Property Tax Receipt (not older than 3 months) 12. Credit Card Statement (not older than 3 months) 13. Insurance Policy 14. Signed Letter having Photo from Bank on letterhead 15. Signed Letter having Photo issued by registered Company on letterhead 16. Signed Letter having Photo issued by Recognized Educational Institution on letterhead 17. NREGS Job Card 18. Arms License 19. Pensioner Card 20. Freedom Fighter Card 21. Kissan Passbook 22. CGHS / ECHS Card 23. Certificate of Address having photo issued by MP or MLA or Gazetted Officer or Tehsildar on letterhead 24. Certificate of Address issued by Village Panchayat head or its equivalent authority (for rural areas) 25. Income Tax Assessment Order 26. Vehicle Registration Certificate 27. Registered Sale / Lease / Rent Agreement 28. Address Card having Photo issued by Department of Posts 29. Caste and Domicile Certificate having Photo issued by State Govt. 30. Disability ID Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations 31. Gas Connection Bill (not older than 3 months) 32. Passport of Spouse 33. Passport of Parents (in case of minor).

C. Supported Proof of residence (Poll) Documents containing Relationship/details to Head of Family

1. PDS Card 2. MNREGA Job Card 3. CGHS/State Government/ECHS/ESIC Medical card 4. Pension Card 5. Army Canteen Card 6. Passport 7. Birth Certificate issued by Registrar of Birth, Municipal Corporation and other notified local government bodies like Taluk, Tehsil etc. B. Any other Central/State government issued family entitlement document.

D. Supported Proof of Date of Birth (DoB) Documents

1. Birth Certificate 2. SSLC Book/Certificate 3. Passport 4. Certificate of Date of Birth issued by Group A Gazetted Officer on letterhead

5. That the Government of Sikkim is proposing to use these Unique Numbers in all identity based Schemes and business processes, development of an effective beneficiary management system and ensuring delivery of schemes to the poor and rural people, financial inclusion of the rural people and build a robust data base for integrated management system and effective monitoring evaluation.
6. That the first phase of UID enrolment in the answering State started from 1.3.2011 and concluded on 31.3.2012 and the enrolment was undertaken by a private firm, namely, 4G Identity

Solutions Pvt. Ltd. (UIDAI Empanelled Firm). The second phase of UID enrolment started in October 2012 and is still ongoing. The Nodal Department – Department of Economics, Statistics, Monitoring & Evaluation (DESM&E) is the Enrolment Agency for this phase and enrolment is being done by DESM&E and no private enrolment agency is involved in this phase. Till 3.2.2014, the department has managed to enroll more than 90% of the residents of the answering State and the details are under:

Aadhar Status as on 3.2.2014

| Total Enrollment | Aadhaar Generated | Under Process |
|------------------|-------------------|---------------|
| 5,63,797 | 5,45,210 | 18,587 |

7. That owing to the large number of enrolments, the Government of India has selected all the districts for pilot study of Direct Benefit Transfer (DBT) Schemes. Direct Benefit Transfer is an anti-poverty program launched by Government of India on 1.1.2013 which aims at transfer of subsidies directly to the people living below poverty line. The primary aim of this Direct Benefit Transfer Program is to bring transparency and terminate pilferage from distribution of funds sponsored by Central Government. In DBT, benefit or subsidy will be directly transferred to the citizens living below poverty line. No subsidy will be given to those who are not entitled for it.

8. Following are the Centrally sponsored Schemes amenable to Direct Benefit Transfer in Sikkim:

| S.No. | Department | Name of the Scheme |
|-------|---------------------------------------|--|
| 1. | Social Justice & Empowerment | Post-Matric Scholarship for Scheduled Caste Students |
| | | Pre-Matric Scholarship for Scheduled Caste Students |
| | | Pre-Matric Scholarship for children of those who are engaged in unclean occupation |
| | | Upgradation of merit of Scheduled Caste Students |
| | | Post-Matric Scholarship for OBC Students |
| | | Post-Matric Scholarship for Economically Backward Class Students |
| | | Post-Matric Scholarship for students with disabilities |
| 2. | Human Resource Development Department | Scholarship to Universities/College Students |
| 3. | Tribal Affairs | Post-Matric Scholarship Scheme |
| | | Upgradation of Merit Scheme |
| | | Top Class Education System |

| | | |
|----|--------------------------------|--|
| 4. | Minority Affairs | Matric Scholarship Scheme |
| 5. | Women and Child Development | Indira Gandhi Matritva Sahayog Yojana (IGMSY) |
| 6. | Health and Family Welfare | Janani Suraksha Yojana |

DEPONENT

VERIFICATION:

I, Arvind Kumar, the above named deponent, do hereby verify that the contents of paras 1 to 7 of the above affidavit are true and correct to the best of my knowledge and belief as derived from the records of the case, no part thereof is false and nothing material has been concealed therefrom.

DEPONENT

Verified at New Delhi on the 8th day of February, 2014